

4/5/94

State of Washington
Department of Ecology
Yakima, Washington

IN THE MATTER OF SURFACE WATER)
APPLICATION NO. S4-31534 BY) Preliminary Permit
WESLEY D. & GUADALUPE M. PETERSON)

On November 9, 1992, the Central Regional Office received an application to appropriate public surface waters from Lake Chelan in the amount of .75 cubic feet per second for group domestic supply and irrigation during irrigation season of 33 acres within the SW $\frac{1}{4}$ Section 12, Township 27 N., Range 21 E.W.M. Public notice was made and no protests were received.

The following information was obtained from a site investigation conducted by Donna L. Smith and Gary Weston on December 7, 1993, research of our department records, conversations with the applicant and department staff.

The property is located approximately 500 feet south of Lake Chelan. The elevation difference ranges from 100 to 800 feet above the pool level of the lake. The arable areas lie between 600 and 800 feet above the pool level on a northerly facing slope.

Due to the extenuating circumstances and topographic features of the proposed project, additional information is required to make a permit decision.

In view of the foregoing, it is the finding of the Department that it is desirable and in the interest of the public that a PRELIMINARY PERMIT issue as authorized in Section 90.03.290 of the Revised Code of Washington, for a period of twenty-four (24) months in order that the applicant make such surveys and investigation as may be required to determine the feasibility of the development; prepare a preliminary system map of the proposed distribution pipelines, and the locations of the intended irrigation area.

Now, therefore I, Doug Clausing, Section Manager of the Central Regional office of the Department of Ecology, under authority given my by 90.03.290, do hereby issue this PRELIMINARY PERMIT, which shall be in force for a period of twenty-four (24) months from the signature date, unless Surface Water Application No. S4-31534 is rejected or a permit issues before that time. The PRELIMINARY PERMIT is subject to the following provisions:

1. Issuance of a PRELIMINARY PERMIT and compliance with its provisions includes no presumption that a permit or certificate will issue.
2. This PRELIMINARY PERMIT does not authorize any diversion of water.
3. During the life of this PRELIMINARY PERMIT, the permittee shall carry on surveys and investigations for the purpose of determining the project feasibility, preliminary design of the distribution system, including a completed plan that shows the following:
 - a) Detailed farm plan showing scale, location and amount of irrigable acres and intended crops, and an accurate detailed diagram of the entire proposed irrigation system to be used under this application.
 - b) Location and source of permanent water supply, including the type, size, dimensions and location of all facilities for transporting the water from its source to the lands, such as, pump station, pipelines, booster pumps, reservoir, etc.
 - c) Map showing ownership of lands to be crossed by the distribution system. As an advisory, should the department be able to grant a permit to develop the project, that authorization does not grant easement or access to the lands the permittee does not own. Lack of legal easements prevents the development of many projects and leads ultimately to the cancellation of the authorization.
 - d) Location, type, size, and dimensions of all other installations necessary for the irrigation of the lands, such as, power, roadways, etc.
 - e) An erosion control plan shall be developed and implemented before and during establishment of this project.

4. During the life of this PRELIMINARY PERMIT, the permittee shall file with the Section Manager of the Central Regional Office of the Department of Ecology at six (6) month intervals, progress reports on the investigations made.
5. Failure to comply with the provisions of this PRELIMINARY PERMIT shall be considered sufficient cause for cancellation of the PRELIMINARY PERMIT and rejection of Surface Water Application No. S4-31534.

Upon satisfactory completion of the above requirements, the Department of Ecology will resume normal processing of Surface Water Application No. S4-31534 in accordance with the provisions of the State Water Code Chapters (RCW 90.03 and RCW 90.44).

You have the right to obtain review of this order. Request for review must be made, within thirty (30) days of receipt of this order, to the Washington Pollution Control Hearings Board, PO Box 40903, Olympia, Washington 98504-0903. Concurrently, a copy of the request must be sent to the Department of Ecology, PO Box 47600, Olympia, Washington 98504-7600. These procedures are consistent with the provisions of Chapter 43.21B RCW and the rules and regulations adopted thereunder.

Sincerely,


Doug Clausen
Section Manager
Water Resources Program

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